## Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

**Part I: Measure Information** 

Bill Request #: 1434
Bill #: _HB 313
<b>Document ID #:</b> 3661
Bill Subject/Title: AN ACT relating to the recording of wills.
Sponsor: Representative Arnold R. Simpson
Unit of Government:  City X County Unified Local X Charter County X Consolidated Local X Government
Office(s) Impacted: County Clerks Offices
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

Under current law, every will or authenticated copy admitted to record by any court shall be recorded and maintained by the county clerk's office. HB 313 will require that after recording, the original documents be returned to the circuit clerk.

Anticipated fiscal impact of HB 313 is expected to be minimal. There may be cost savings as a result of HB 313 but those would be indirect and indeterminable. County clerk offices will no longer have to create and maintain permanent files, allocate floor space or acquire storage cabinets, and on occasion when relocating offices, reduce moving costs due to not having to move these files.

The circuit clerk of Kenton County is supportive of the bill and stated he does not see any major impact on his office as they already retain copies of probate documents including the will. Futuristically, he hoped that permanent electronic copies would become acceptable in all cases and the original paper documents could be destroyed.

## Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced and there are not any prior introduced versions of the bill to complete the Part III section.

**Data Source(s):** <u>Kenton County Clerk, Kenton County Circuit Clerk, Franklin County</u>

Clerk, Leslie County Clerk

Preparer: Mark Offerman Reviewer: KHC Date: 2/12/18